

In the Supreme Court of the State of Alaska

State of Alaska,

Petitioner,

v.

Zachary Alan Whisenhunt,

Respondent.

Supreme Court No. S-18310

Order

Date of Order: **4/14/2022**

Court of Appeals Case No. **A-13240**
Trial Court Case No. **4FA-16-00872CR**

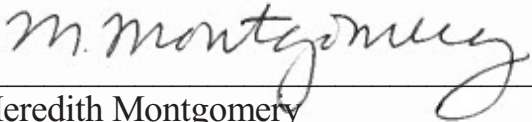
On consideration of the State of Alaska's 2/22/2022 Petition for Review, the Respondent's 3/3/2022 Opposition to Petition for Review or Alternatively [Motion to] Stay Proceedings Pending Resolution of *Phornsavanh*, and the State's 3/10/2022 Opposition to Motion to Stay Proceedings,

IT IS ORDERED: The motion to stay proceedings is **GRANTED**. Further consideration of the petition for review is **STAYED** pending the court's decision whether to accept the State's petition for hearing in *State v. Phornsavanh*, S-18299, which is not yet ripe for decision. If the State's petition in *Phornsavanh* is granted and full briefing is ordered, this case and *Phornsavanh* will be consolidated for decision. If the State's petition in *Phornsavanh* is denied, the court will take under consideration on this petition the separate issue of whether the court of appeals in *Phornsavanh* articulated a new standard for the review of new trial motions and, if so, whether that new standard can properly be applied on remand in this case.

Entered at the direction of an individual justice.

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Clerk of the Appellate Courts



Meredith Montgomery

cc: Court of Appeals Judges
Trial Court Clerk

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Martinez, Jane B M, OPA - Contract
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